

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: James E. Landry

DATE: March 21, 2007

SERIAL NO.: 09/413,993

GROUP ART UNIT: 1712

FILED: October 7, 1999

EXAMINER: Sellers, Robert E.

FOR: "A Flexible Insulating Material and Method of Use"

ATTORNEY DOCKET NO.: A00308US (98417.1)

DECLARATION

I, James E. Landry, do hereby declare the following:

that I am the inventor of the patent application titled "A Flexible Insulating Material and Method of Use" filed on October 7, 1999 and bearing serial no. 09/413,993;

that this application went unintentionally abandoned for failure to reply in a timely manner to the Restriction Requirement mailed November 30, 2001;

that applicant submitted a Response on August 17, 2006 along with the Petition to Revive;

that this is a Renewed Petition to Revive for Unintentional Abandonment under 37 CFR 1.137(b) in response to the dismissal of the petition filed August 17, 2006;

that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional;

that the cause of the delay between the date I was first notified that the application was abandoned and the date a 37 CFR 1.137(b) petition was filed was due to catastrophic and severe financial hardships from which I have recently recovered;

that in January, 2000, my business was interrupted due to a fire completely destroying one of two buildings

that from May, 2000 through February, 2002, a key employee embezzled money and damaged my reputation;

that my attorney of record received the Notice of Abandonment on August 19, 2002 and forwarded the Notice of Abandonment to me;

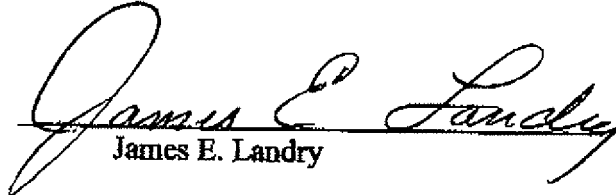
that as a result of the embezzlement of funds, I was in a precarious financial status and unable to afford patent fees or attorney fees;

that in August, 2004, a primary customer filed for bankruptcy which further interrupted

my financial stability; and

that legal action is currently pending against a potential buyer of my business that breached its agreement to purchase after succeeding in hiring most of my key employees.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


James E. Landry

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